

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase Number: 77-14133
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Lands
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Daytime Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400
Idaho State Bar # 2597

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America
USDA Forest Service
Address: 550 W. Fort Street, MSC 033
Boise, ID 83724

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: December 27, 1919
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

4. Priority Date

The point of diversion for this claimed water right is Twp. 16 N., Rge. 11 E., § 4, Lot 1 NENE. The place of use of this claimed water right is Twp. 16 N., Rge. 11 E., § 4, Lot 5 NWNW. This land is on the West side of the Middle Fork of the Salmon River as shown on the Master Title Plat for this township. A copy is attached as Exhibit A. It was reserved as a forest reservation by the Proclamation Dated December 27, 1919, 41 Stat. 1784. A copy is attached as Exhibit B.

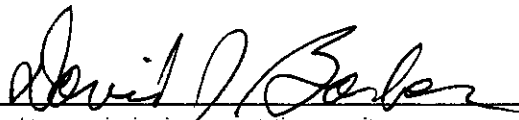
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

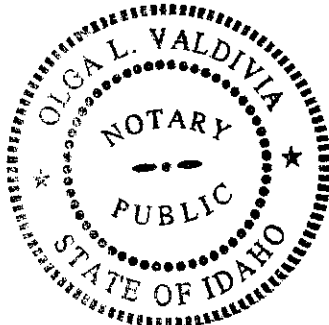
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: 10-28-02
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/06

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on October 28, 2002, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. Mail

2. One copy to the owner of the water right at the following address:

United States of America
USDA Forest Service
550 W. Fort Street, MSC 033
Boise, ID 83724

U.S. MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

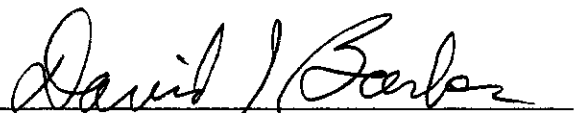
STATEHOUSE MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

United States Department of Justice
Environment and Natural Resource Division
550 W. Fort Street, MSC 033
Boise, ID 83724

U.S. MAIL



Signature of Objector or attorney
Mailing on Objector's behalf

No warranty is made by the Bureau of Land Management for the use of these data for purposes not intended by the BLM.

PROCLAMATIONS, 1919, 1920.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done by the President, through Newton D. Baker, Secretary of War, in the District of Columbia, this 24th day of December [SEAL.] the year of our Lord 1919 and of the Independence of the United States the One Hundred and Forty Fourth.

WOODROW WILSON

By the President:

ROBERT LANSING,
Secretary of State.
NEWTON D. BAKER
Secretary of War.

December 27, 1919.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION.

Idaho and Payette
National Forests,
Idaho.
Preamble.
Ante, p. 324.

WHEREAS, An Act of Congress, dated October 29, 1919, Public No. 69, set apart and reserved certain lands in central Idaho as national forest lands, subject to the approval of the Secretary of the Interior and to all valid existing claims, and included said lands within specified National Forests; and

WHEREAS, on December 23, 1919, the Secretary of the Interior approved such reservation of said lands; and

WHEREAS, It is desirable in the public interest to publish the consummation of said Act in order that due judicial notice thereof may be taken by all courts of law, and for other purposes;

Area extended.

NOW, THEREFORE, I, WOODROW WILSON, President of the United States of America, do proclaim that the inclusion of the said lands in National Forests pursuant to said Act became effective as of December 23, 1919, and that the said lands are those indicated as additions to the Idaho and Payette National Forests, respectively, on the diagram hereto attached and forming a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 27th day of December, the year of our Lord one thousand nine hundred and nine- [SEAL.] teen, and of the Independence of the United States the one hundred and forty-fourth.

WOODROW WILSON

By the President:

ROBERT LANSING,
Secretary of State.

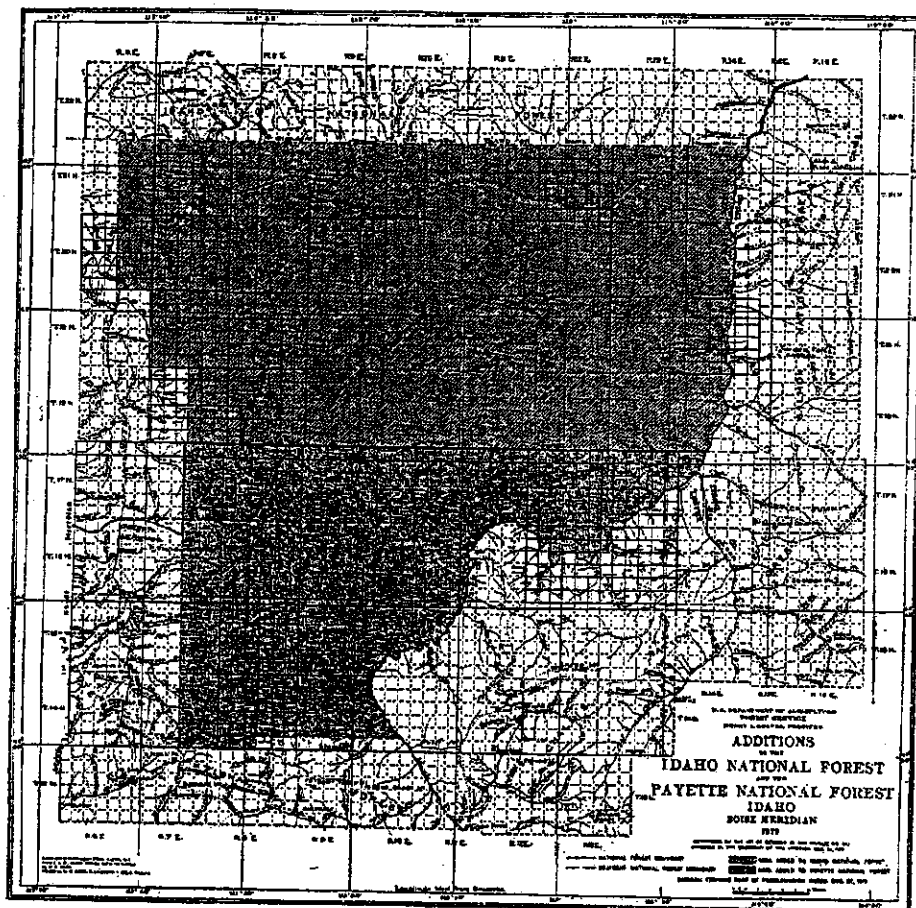
January 16, 1920.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION.

Boone National For-
est, N. C.
Preamble.
Vol. 36, p. 961.

WHEREAS, certain lands within the State of North Carolina have been or may hereafter be acquired by the United States under authority of the Act of Congress approved March first, nineteen hundred and eleven (36 Stat., 961), entitled "An Act To enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers" and

ATTACHMENT II



1764-1